

BILZIN SUMBERG BAENA PRICE & AXELROD LLP

Robert W. Turken (*pro hac vice*)
Scott N. Wagner (*pro hac vice*)
Lori P. Lustrin (*pro hac vice*)
Shalia M. Sakona (*pro hac vice*)
Jerry R. Goldsmith (*pro hac vice*)
1450 Brickell Avenue
Suite 2300
Miami, FL 33131-3456
Telephone: (305) 374-7580
Email: rturken@bilzin.com
Email: swagner@bilzin.com
Email: llustrin@bilzin.com
Email: ssakona@bilzin.com
Email: jgoldsmith@bilzin.com

Attorneys for Benchmark Electronics

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

In re Capacitors Antitrust Litigation

Case No. 17-md-02801-JD

This document relates to:

Benchmark Electronics, Inc.; Benchmark Electronics Huntsville, Inc.; Benchmark Electronics Manufacturing Solutions (Moorpark), Inc.; Benchmark Electronics Manufacturing Solutions, Inc.; Benchmark Electronics Phoenix, Inc.; Benchmark Electronics Tijuana, S. de R.L. de C.V.; and Benchmark Electronics De Mexico S. de R.L. de C.V, Case No. 17-cv-7047

**STIPULATION AND [PROPOSED]
ORDER OF DISMISSAL**

**STIPULATION AND [PROPOSED] ORDER OF DISMISSAL
17-md-2801-JD**

Plaintiff, Benchmark Electronics, Inc., Benchmark Electronics Huntsville, Inc., Benchmark Electronics Manufacturing Solutions (Moorpark), Inc., Benchmark Electronics Manufacturing Solutions, Inc., Benchmark Electronics Phoenix, Inc., Benchmark Electronics Tijuana, S. de R.L. de C.V. and Benchmark Electronics de Mexico S. de R.L. de C.V., (collectively, “Benchmark”) and Defendant Fujitsu Limited (“Fujitsu”) pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure hereby stipulate to the dismissal of the present action with prejudice and state as follows:

1. Benchmark and Fujitsu seek the dismissal of this action against Fujitsu with prejudice.

2. Benchmark and Fujitsu agree that each party shall bear its own costs and attorneys’ fees in connection with these actions.

3. This stipulation does not affect the rights or claims of Benchmark against any other defendant or alleged co-conspirator in this litigation.

WHEREFORE, the parties respectfully request that this Court issue an Order of Dismissal against Fujitsu only.

IT IS SO STIPULATED

Dated: September 5, 2019

/s/ Scott N. Wagner

Robert W. Turken (admitted *pro hac vice*)
 Scott N. Wagner (admitted *pro hac vice*)
 Lori P. Lustrin (admitted *pro hac vice*)
 Shalia M. Sakona (admitted *pro hac vice*)
 Jerry R. Goldsmith (admitted *pro hac vice*)
**BILZIN SUMBERG BAENA PRICE &
 AXELROD LLP**
 1450 Brickell Ave., Suite 2300
 Miami, Florida 33131-3456
 Telephone: 305-374-7580
 Facsimile: 305-374-7593
 rturken@bilzin.com
 swagner@bilzin.com

/s/ Christine Wong

Paul T. Friedman
 Christine Y. Wong
 Ian K. Bausback
MORRISON & FOERSTER LLP
 425 Market Street
 San Francisco, California 94105-2482
 Telephone: 415.268.7000
 Facsimile: 415.268.7522
 Email: PFriedman@mofo.com
 Email: ChristineWong@mofo.com
 Email: IBausback@mofo.com

1 llustrin@bilzin.com
2 ssakona@bilzin.com
3 jgoldsmith@bilzin.com

4 *Counsel for Benchmark Electronics*

Jeffrey A. Jaeckel
MORRISON & FOERSTER LLP
2000 Pennsylvania Avenue, NW Suite 6000
Washington, District of Columbia 20006
Telephone: 202.887.1500
Facsimile: 202.887.0763
Email: JJaeckel@mofo.com

Counsel for Defendant Fujitsu Limited

7
8
9 **ECF ATTESTATION**

10 I, Scott N. Wagner, an ECF User whose ID and Password are being used to file this
11 Stipulation and [Proposed] Order of Dismissal.

12 In compliance with Civil Local Rule 5-1, I hereby attest that counsel for has concurred in
13 this filing.

14
15 DATED: September 5, 2019

16 By: /s/ Scott N. Wagner
17 Scott N. Wagner
18
19
20
21
22
23
24
25
26
27
28

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

UNITED STATES DISTRICT JUDGE